

## **REMARKS**

**[0002]** Applicant respectfully requests reconsideration and allowance of all of the claims of the application. Claims 1-22 and 46-54 are presently pending. No claims are amended herein. No claims are withdrawn or cancelled herein. No new claims are added herein.

### **Election/Restriction**

**[0003]** The claims are subjected to a restriction/election requirement under 35 U.S.C. §121 as containing 2 patentably distinct groups of the claimed invention:

- I. Claims 1-22, drawn to a method of determining if the stream has an embedded-signal therein and interfering with clear reception, classified in class 713, subclass 176.
- II. Claims 46-54, drawn to facilitating circumvention of watermark detection by determining where a location where the dynamic detector receives an incoming stream and interfering by adjusting the "play-rate" or "consumption-rate" or "introducing-noise countersignal", classified in class 380, subclass 205.

**[0004]** Applicant traverses the restriction requirement and does not elect either group. Applicant asks the Examiner to withdraw the restriction.

**[0005]** Applicant submits that the subject matter of each grouping is not independent and distinct from each other. Between the two groupings, the claims

features are arranged differently. Also, the claims of group 2 have a few more specifics and details that are not found in the claims of group 1.

**[0006]** Please note, for the record, that the Applicant not saying that the claims of each grouping are identical. Rather, the Applicant is stating that each group of claims does not meet the standard for a restriction requirement, which is being independent and distinct from each other.

### **Substance of Interview**

**[0007]** The Examiner and the undersigned representative of the Applicant discussed how and why the subject matter of each grouping is not independent and distinct from the other. On May 21, 2009, the undersigned representative received a telephonic voice mail from the Examiner indicating that she re-reviewed the claims and agreed that the two claim groupings are not independent and distinct from each other. Accordingly, the Applicant asks the Examiner to withdraw the restriction.

## **Conclusion**

[0008] All pending claims are in condition for allowance. Applicant respectfully requests reconsideration and prompt issuance of the application. If any issues remain that prevent issuance of this application, the **Examiner is urged to contact me before issuing a subsequent Action.** Please call/email me or my assistant at your convenience.

Respectfully Submitted,

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